

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

In Re: ASBESTOS PRODUCTS : Civil Action No:  
LIABILITY LITIGATION (No. VI) : MDL 875  
:   
This Document Relates to: : E.D. Pa. No:  
FERGUSON v. A.C. AND S., INC. as well as : 08-90234  
the other cases on the attached list (all CVLO cases):

**ORDER**

**AND NOW**, this 16th day of November, 2012, upon consideration of the following motions, responses, replies, and motions for joinder, as well as plaintiffs' omnibus response (10-67443, Doc. 191) and the September 13, 2012 oral argument on the motions:

1. Defendant CBS Corporation's Motions for Sanctions (10-68073 Doc. 153; 08-90234 Doc. 73) and responses (10-68073 Doc. 172; 08-90234 Doc. 86);
2. Defendant Duke Energy Indiana, Inc's Motion to Strike (08-89340 Doc. 96) and response (08-89340 Doc. 100);
3. General Electric Company's Motion to Strike (08-90058 Doc. 106; 08-90263 Doc. 96; 08-90132 Doc. 102; 08-90122 Doc. 112; 08-90063 Doc. 97; 08-90166 Doc. 110), responses (08-90058 Doc. 114; 08-90263 Doc. 100; 08-90132 Doc. 106; 08-90122 Doc. 115; 08-90063 Doc. 102; 08-90166 Doc. 118) and replies (e.g. 08-90058 Doc. 116); and
4. Owens-Illinois, Inc.'s Motions to Strike (09-60552 Doc. 93; 10-67814 Doc. 114; 09-60256 Doc. 82; 09-61026 Doc. 106; 10-67443 Doc. 175; 11-63501 Doc. 155; 08-90058 Doc. 104; 08-90132 Doc. 101; 08-90263 Doc. 95; 08-90166 Doc. 107; 10-67555 Doc. 116; 11-66746 Doc. 176; 11-63483 Doc. 352) and responses (09-60552 Doc. 102; 09-60256 Doc. 89; 09-61026 Doc. 114; 11-63501 Doc. 164; 08-90132 Doc. 105; 08-90263 Doc. 99; 10-67555 Doc. 118; 11-66746 Doc. 182; 11-63483 Doc. 362);

it is hereby **ORDERED** that:

5. All motions for joinder are **GRANTED**;
6. CBS Corporation's Motions for Sanctions in Plue, (10-68073 Doc. 153) and Ferguson, (08-90243 Doc. 73) are **DENIED**;
7. The remaining motions listed above are **GRANTED in part** as described in the attached

memorandum in that all interrogatory responses which were not verified by the Plaintiffs are struck; and

8. all other relief requested is **DENIED**.

**BY THE COURT:**

/s/ David R. Strawbridge  
**DAVID R. STRAWBRIDGE**  
**UNITED STATES MAGISTRATE JUDGE**

**CASE LIST**

Krik	Charles	11-CV-63473	Top Ten
Menozzi	Eugene	08-CV-89865	1&2 Subgroup A
Carnegie	John	08-CV-89958	1&2 Subgroup A
Hollins	Willie	08-CV-90201	1&2 Subgroup A
Winslow	Terry	08-CV-92114	1&2 Subgroup A
Johnson	Richard	08-CV-92122	1&2 Subgroup A
Weber	Daniel	08-CV-92132	1&2 Subgroup A
Hutchinson	Jack	08-CV-92157	1&2 Subgroup A
O'Keefe	Robert	08-CV-92210	1&2 Subgroup A
Frankenberger	Howard	09-CV-61717	1&2 Subgroup A
McCullum	Roosevelt	08-CV-89883	1&2 Subgroup B
De Witt	Elsie	08-CV-90189	1&2 Subgroup B
Centers	Albert	08-CV-90268	1&2 Subgroup B
Smith	Ronald	08-CV-90287	1&2 Subgroup B
Wilson	Merle	08-CV-91879	1&2 Subgroup B
Pray	Frankie	08-CV-91884	1&2 Subgroup B
Buchanan	Howard	08-CV-92038	1&2 Subgroup B
Black	John	10-CV-68110	1&2 Subgroup B
Malone	Clifford	10-CV-68124	1&2 Subgroup B
Ferguson	James	08-CV-90234	1&2 Subgroup C
Norberg	Earl	08-CV-90264	1&2 Subgroup C
Bault	Charles	08-CV-91663	1&2 Subgroup C
Bugg	William	08-CV-91729	1&2 Subgroup C
Schurtz	Michael	08-CV-91742	1&2 Subgroup C
Spangler	Herbert	08-CV-91882	1&2 Subgroup C
Thomas	Glendel	08-CV-92206	1&2 Subgroup C
Henney	Jean	09-CV-64629	1&2 Subgroup C
Allen	Gary	10-CV-67536	1&2 Subgroup C
Plue	Richard	10-CV-68073	1&2 Subgroup C
Dover	Jackie	10-CV-68127	1&2 Subgroup C
Cummings	Ronald	10-CV-68902	1&2 Subgroup C
Doyle	James	08-CV-89845	3
Haffner	Robert	08-CV-89863	3
Larweth	Dennis	08-CV-89914	3
Wilson	Harold	08-CV-90732	3
Childs	Earl	08-CV-91089	3
Suoja	Oswald	09-CV-60256	3
Hass	Laverne	09-CV-60267	3
Hass	Laverne	09-CV-60298	3
Meagher	John	09-CV-60445	3
Connell	Daniel	09-CV-60552	3
Obermeier	Sylvester	09-CV-61019	3
Schmoll	Cyril	09-CV-61026	3
Morris	Michael	09-CV-61495	3
Waltenberg	Claude	09-CV-61499	3

Vradenburg	Stanley	09-CV-62185	3
Woods	James	09-CV-62583	3
Willocks	Tommy	09-CV-64701	3
Stephens	John	09-CV-64733	3
Rickey	Marvin	10-CV-61345	3
Lorentz	Eugene	10-CV-61348	3
Sutherlin	James	10-CV-64565	3
Collins	Arthur	10-CV-64567	3
Louis	Richard	10-CV-64606	3
Cadotte	Joseph	10-CV-64680	3
Ahnert	Daniel	10-CV-67443	3
Held	Donald	10-CV-67814	3
Binder	Robert	10-CV-67817	3
Jakubowski	Florian	10-CV-67831	3
Andris	Arthur	10-CV-67885	3
Hakes	Donald	10-CV-68063	3
Reed	Hugh	08-CV-88250	4
Austin	Richard	08-CV-89340	4
Heggie	JW	08-CV-89372	4
McFarland	Charles	08-CV-89381	4
Cook	Joseph	08-CV-89446	4
Kemper	Jack	08-CV-89498	4
Fata	Frank	08-CV-90058	4
Schmidt	Donald	08-CV-90063	4
Phillips	John	08-CV-90122	4
Jones	Asa	08-CV-90132	4
Willey	Russel	08-CV-90166	4
Jackson	Floyd	08-CV-90263	4
Percy	Warren	08-CV-90465	4
Weber	Ronald	08-CV-91052	4
Holme	Darrell	08-CV-91090	4
Baker	Joseph	08-CV-91189	4
Bolton	John	09-CV-60186	4
Esser	Charles	09-CV-60287	4
Bresnahan	Thomas	09-CV-60331	4
Jones	Duane	09-CV-60440	4
Lundahl	Robert	09-CV-60444	4
Sienko	Ronald	09-CV-60481	4
Jeske	Kenneth	09-CV-60547	4
Junk	Bonnie	09-CV-60550	4
Nuutinen	Charles	09-CV-61333	4
Frisch	Louis	09-CV-61354	4
Schroeder	Cletus	09-CV-61430	4
Crumwell	Richard	09-CV-61744	4
Ruesken	Louis	09-CV-61820	4
Giuliano	William	09-CV-64609	4

Ringo	Robert	09-CV-91454	4
Bennington	Martin	10-CV-61115	4
Pietrzycki	Stanley	10-CV-61349	4
Suhaysik	Raymond	10-CV-61865	4
Dittamore	William	10-CV-64583	4
Embly	Robert	10-CV-64584	4
Kelley	Howard	10-CV-67555	4
Arseneault	Clovis	10-CV-67621	4
Gosz	Clarence	10-CV-67808	4
Risse	Loren	10-CV-67857	4
Patrick	Homer	10-CV-68864	4
Herr	Richard	11-CV-60064	4
Van Stippen	Joseph	11-CV-63483	4
Strerath	William	11-CV-63496	4
Brazzoni	Alfred	11-CV-63501	4
Tischer	Daniel	11-CV-63503	4
Muehlberger	Max	11-CV-63518	4
Johnson	Francis	11-CV-66278	4
Zellner	Clifford	11-CV-66746	4
Kirk	Delbert	08-CV-89494	5
Riggs	Irving	08-CV-91762	5
Hicks	William	08-CV-91888	5
Maulding	Duane	08-CV-92113	5
Walker	Clarence	08-CV-92136	5
Serstad	Richard	09-CV-60165	5
Loeffelad	Walter	09-CV-60231	5
Caturia	Frederick	09-CV-60271	5
Akey	Richard	09-CV-60286	5
Reno	Charles	09-CV-60293	5
Dunne	Michael	09-CV-60329	5
Burns	John	09-CV-60476	5
Schulze	Ronald	09-CV-60516	5
Miller	Frank	09-CV-60520	5
Reich	Ronald	09-CV-60523	5
Enerson	Donald	09-CV-61004	5
Flaatten	Ronald	09-CV-61006	5
Jelinski	Jerome	09-CV-61012	5
White	Paul	09-CV-61033	5
Holcomb	Edward	09-CV-61314	5
Metzger	Jack	09-CV-61322	5
Rathsack	Michael	09-CV-61347	5
Gabrus	Donald	09-CV-61357	5
Horton	Julius	09-CV-61469	5
Ketchum	Richard	09-CV-61481	5
Reichert	Norman	09-CV-61487	5
Kiepert	William	09-CV-61544	5

Enos	Carroll	10-CV-61422	5
Kumferman	Henry	10-CV-61429	5
Bartlett	Robert	10-CV-61467	5
Gottsacker	Randall	10-CV-61885	5
Zimmer	Lawrence	10-CV-61896	5
Nelson	Marlin	10-CV-61956	5
Sebastian	Sigfried	10-CV-64686	5
Wagner	Edward	10-CV-67704	5
Berger	Thomas	10-CV-67758	5
Conway	Harold	10-CV-67785	5
Hickmann	Eugene	10-CV-67805	5
Junk	William	10-CV-67841	5
Irons	Gary	10-CV-68130	5
Bucknell	Bertha	11-CV-63908	5
Reno	Charles	11-CV-67724	5
Oliphant	John	11-CV-67767	5
Dice	James	08-CV-88411	6
Bartlett	Thomas	08-CV-89791	6
Rome	Douglas	08-CV-89825	6
Czajkoski	Walter	08-CV-89969	6
Klimek	David	08-CV-90065	6
Matlock	Benjamin	08-CV-90099	6
Graham	Marion	08-CV-90139	6
Hamerla	John	08-CV-90208	6
Patrick	Carolyn	08-CV-90221	6
Woodmaster	Charles	08-CV-91087	6
Gard	Leslie	08-CV-91736	6
Van Dolah	Vernon	08-CV-91880	6
Graves	William	08-CV-92120	6
Lawless	Anthony	08-CV-92161	6
Massey	Leonard	09-CV-61356	6
Deters	Cletus	10-CV-64585	6
Richardson	Eleanore	10-CV-67553	6
Nichols	Gerald	10-CV-68097	6
Toon	Lloyd	08-CV-88707	7
Brown	Gary	08-CV-89945	7
Bey	George	08-CV-89979	7
Brigham	George	08-CV-89984	7
White	Shirley	08-CV-90171	7
Smith	Leo	08-CV-90276	7
Scott	Thomas	08-CV-91314	7
Taylor	James	08-CV-91881	7
Nehlsen	Michael	08-CV-91893	7
Ayers	Mark	08-CV-91953	7
Daniels	Jimmie	08-CV-92259	7
Engelman	Patrick	09-CV-60939	7

<b>Campbell</b>	<b>Elmer</b>	<b>10-CV-61341</b>	<b>7</b>
<b>Benson</b>	<b>Harold</b>	<b>10-CV-64563</b>	<b>7</b>
<b>Carlson</b>	<b>Neil</b>	<b>10-CV-67533</b>	<b>7</b>
<b>Carmichael</b>	<b>James</b>	<b>10-CV-67545</b>	<b>7</b>
<b>Cyril</b>	<b>Svatek</b>	<b>11-CV-64036</b>	<b>7</b>
<b>Jurglanis</b>	<b>Clemens</b>	<b>12-CV-60003</b>	<b>7</b>
<b>Spychalla</b>	<b>Leonard</b>	<b>12-CV-60004</b>	<b>7</b>
<b>Eulgen</b>	<b>Louis</b>	<b>12-CV-60019</b>	<b>7</b>
<b>Krueger</b>	<b>Glenn</b>	<b>12-CV-60020</b>	<b>7</b>
<b>Pehlke</b>	<b>Luella</b>	<b>12-CV-60049</b>	<b>7</b>
<b>McNair</b>	<b>Mary</b>	<b>12-CV-60160</b>	<b>7</b>

Certificate of Service

**MAILED:**

ALBERT BOWER	DEREK SMITH	KELLY CHERF	RICHARD BOLTON
AMBER ACHILLES	DEVLIN SCHOOP	KELLY MCCLOSKEY	RICHARD CHAPIN
ANDREW WOLF	DONALD BERGER	KENNETH GORENBERG	RICHARD HAAS
BARRY ROBIN	DONALD BROAD	KEVIN LONG	RICHARD STEINKEN
BEAU SEFTON	ELIZABETH HARVEY	KEVIN REID	ROBERT HALEY
BILLEE WARD	FRANCIS MORRISSEY	KRISTIN ACHTERHOF	ROBERT KOPKA
BRADLEY FALKOF	GARY SMITH	LAURA O'CONNELL	RONALD CURTIS
BRIAN CAHILL	J. GASS	LEON TODD	RONALD LIPINSKI
BRIAN FIELDS	JACK BLOCK	LISA WARWICK	RONALD WELDY
BRIAN PLEGGE	JACQUELYN CHAMPAGNE	LORI YOKOYAMA	ROSEANNE LOFTUS
BRUCE KAMPLAIN	JAMES CULHANE	MARK JOHNSON	RUSSELL HOOVER
BRUCE MARR	JAMES FIEWEGER	MARK LIES	SCOTT KYROUAC
C. KOEBELE	JAMES PECKERT	MARK RAKOCZY	SEAN MACK
CAROL PRYGROSKY	JAMES SNYDER	MATTHEW LEE	STACEY SENECZKO
CHARLES BOHL	JAMES WHEELER	MAUREEN KELLY	STEPHEN KAUFMANN
CHARLES DARGO	JAN DODD	MELISSA SKILKEN	STEPHEN KRAVIT
CHARLES REITER	JEFFREY MCKEAN	MICHAEL BISHOP	STEPHEN MAASSEN
CHRISTOPHER RAISTRICK	JEFFREY SCHMECKPEPER	MICHAEL CIESLEWICZ	STEVEN CELBA
CLARKE GILLESPIE	JENNIFER FARDY	MICHAEL HENNIG	STEVEN SANDERS
CREED TUCKER	JENNIFER SEIDLER	MICHAEL KAEDING	SUSAN GUNTY
D. GLOOR	JEROME KRINGS	MICHAEL KOKAL	SUSAN HUNTER
DANIEL FARROLL	JOAN IRICK	MICHAEL O'OURKE	THADDEUS STANKOWSKI
DANIEL OVERBEY	JOEL POOLE	MICHELLE MONTGOMERY	THOMAS EHRHARDT
DAVID BARTEL	JOHN CHILDERS	PAMELA PAIGE	THOMAS MEYER
DAVID MORRIS	JOHN DAMES	PATRICK HAGGERTY	THOMAS WILSON
DAVID MUELLER	JOHN DIXON	PATRICK JONES	TIMOTHY FAGAN
DAVID ROLF	JOHN STUCKEY	PATRICK MCKENNA	TIMOTHY UEBER
DEAN PANOS	JOSEPH O'HARA	PATRICK PHILLIPS	VANI SINGHAL
DEBORAH SOLMOR	JOSEPH WITEK	PETER CARLSON	VICTOR LAZZARETTI
DEMARCUS GORDON	JOSHUA MURPHY	PETER HATTON	W. WELSH
DENIS RISCHARD	JUAN RAMIREZ	R. MUTH	WILLIAM EHRKE
DENNIS DOBBELS	K. CAREY	R. STOMMEL	WILLIAM HASSLER
DENNIS GRABER	KARL KOONS	RICHARD BAKER	WILLIAM MCGRATH
			ZANE LUCAS

**E-MAILED:**

ADAM JAGADICH	DOUGLAS KING	JOSEPH SULLIVAN	REED SUGG
ADAM LAGOCKI	DOUGLAS PROCHNOW	JOSHUA JOHANNINGMEIER	RICHARD LAUTH
AHNDREA VANDENELZEN	DREW ODUM	JOSHUA LEE	RICHARD RIEGNER
ALLEN VAUGHAN	EDWARD CASMERE	KAREN RHEINGANS	RICHARD SCHUSTER
AMANDA SUMMERLIN	EDWARD CRANE	KATHERINE SPITZ	ROBERT LONG
AMIEL GROSS	EDWARD KENNEY	KATHRYN DOWNEY	ROBERT MCCOY
ANDREW DETHERAGE	EDWARD MACCABE	KAYCE GISINGER	ROBERT PISANI
ANTHONY GOLDNER	EDWARD MCCAMBRIDGE	KEITH HAYS	ROBERT RALEIGH
BARBARA BUBA	EMILY ZAPOTOCNY	KENT PLOTNER	ROBERT RILEY
BARRY LOFTUS	ERIC CARLSON	KENT ROGERS	ROBERT SANDS
BARRY SHORT	FORREST WILKES	KEVIN KNIGHT	ROBERT SCHROEDER
BASIL DISIPIO	GARY SMITH	KIMBERLY HILLMAN	ROBERT SCOTT
BETH HUGHES	GEORGE KISER	KIMBERLY SARFF	ROBERT SPINELLI
BRADLEY BULTMAN	GERMAINE WILLETT	KIRK HARTLEY	ROBERT SPITKOVSKY
BRADLEY NAHRSTADT	GREGORY COCHRAN	KNIGHT ANDERSON	ROGER HEIDENREICH
BRETT LARSEN	GREGORY GOLDBERG	KRISTINA LEMANSKI	RONALD AUSTIN
BRIAN WATSON	GREGORY LYONS	KURT REITZ	RONALD HACK
BRUCE CLARK	GREGORY MCNAMEE	KURTIS REEG	RUSSELL KLINGAMAN
BRYAN SKELTON	HEIDI RUCKMAN	LANCE MUELLER	RUSSELL SCOTT
BRYCE BENNETT	HOWARD MORRIS	LAUREL JOHNSON	SARAH MILLER

Certificate of Service

C. DOUGLAS	J. BRADLEY	LAURIE MCLEROY	SARAH PAGELS
C. EVERT	J. MALONEY	LAURIE RANDOLPH	SCOTT HENRY
CARMEN ANDERSON	JACOB SAWYER	LESLEY SHERMETA	SCOTT SIMPKINS
CAROL ZUCKERMAN	JAMES BOYERS	LISA DILLMAN	SCOTT THOMSEN
CATHERINE CARLSON	JAMES CARTER	M. GRANT	SEAN SHEEHAN
CATHERINE MOHAN	JAMES HOUSE	MAJA EATON	SHAWANE LEE
CATHY MOLCHIN	JAMES KASPER	MARGARET FOSTER	SHAWN BABIUCH
CHAN MCLEOD	JAMES MORRISON	MARK EISLER	SHEHZAD HASAN
CHARLES JOLEY	JAMES MURRAY	MARK FELDMANN	SHEILA BIRNBAUM
CHRISTI JONES	JAMES NIQUET	MARK LUDOLPH	STEPHEN JENKINS
CHRISTOPHER BANASZAK	JAMES SVAJGL	MARK SAMPSON	STEPHEN MIOTT
CHRISTOPHER CONRAD	JAMES WALTON	MARK TIVIN	STEPHEN SCHWARTZ
CHRISTOPHER LARSON	JAMES WYNNE	MARTHA REGGI	STEVEN BARBER
CHRISTOPHER LEE	JAMIE YADGAROFF	MARTIN SCHWARTZ	STEVEN BESHORE
CHRISTOPHER P.BANASZAK	JANELLE LINDER	MARY ANN HATCH	STEVEN CARLSON
CHRISTOPHER TRIBLE	JASON CINCILLA	MARY GAY	STEVEN KIRSCH
CHRISTOPHER WAHL	JASON KENNEDY	MATTHEW FISCHER	SUSAN MEHRINGER
CLARE MAISANO	JASON RUBIN	MATTHEW JARDINE	TEIRNEY CHRISTENSON
CLARE RUSH	JEFFREY FULTZ	MATTHEW THIBODEAU	THOMAS CANNON
CONNIE POSTELLI	JEFFREY HEBRANK	MAUREEN COLEMAN	THOMAS GILLIGAN
CRAIG BRASFIELD	JEFFREY ROGERS	MELISSA SMITH	THOMAS GONZALEZ
CRAIG LILJESTRAND	JEFFREY SCHIEBER	MICAH INLOW	THOMAS HAYES
CRAIG TURET	JENNIFER BLACKWELL	MICHAEL ANTIKAINEN	THOMAS KERNELL
CURTIS BAILEY	JENNIFER KALAS	MICHAEL BERGIN	THOMAS NORBY
CYNTHIA LOCKE	JENNIFER STUDEBAKER	MICHAEL BLOCK	THOMAS ORRIS
DANIEL CHEELY	JEREMY HARRIS	MICHAEL CASCINO	THOMAS SCHMITZER
DANIEL DONAHUE	JIN-HO CHUNG	MICHAEL DENNING	THOMAS SCHRIMPF
DANIEL ELGER	JOHN BABIONE	MICHAEL DRUMKE	THOMAS TARDY
DANIEL GRIFFIN	JOHN CANONI	MICHAEL ROSENBERG	THOMAS THIBODEAU
DANIEL JARDINE	JOHN DOUGLAS	MICHAEL TRUCCO	TIFFANY TURNER
DANIEL LONG	JOHN FONSTAD	MICHAEL ZUKOWSKI	TIMOTHY KAPSHANDY
DANIEL MANNA	JOHN HELLER	MITCHELL MOSER	TIMOTHY KRIPPNER
DANIEL MCGRATH	JOHN KUROWSKI	NATHAN FRONK	TIMOTHY PAGEL
DANIEL MULHOLLAND	JOHN LAFFEY	NATHANIEL CADE	TIMOTHY PIKE
DANIEL O'CONNELL	JOHN MCCANTS	NEAL MCQUEENEY	TOBIN TAYLOR
DANIEL TRACHTMAN	JOHN SEEBOHM	NICHOLAS NIZAMOFF	TRACY COWAN
DAVID DAMICO	JOHN SHEFFER	NICOLE BEHNEN	TREVOR WILL
DAVID DOGAN	JOHN SON	OLLIE HARTON	W. SIEENNOP
DAVID FANNING	JOHN WALLER	PATRICK FINNEGAN	WALTER JENKINS
DAVID JONES	JON BAROOSHIAN	PATRICK LAMB	WALTER WATKINS
DAVID SETTER	JON FREDRICKSON	PATRICK STUFFLEBEAM	WARD BROWN
DAVID SZLANFUCHT	JON GOLDWOOD	PAUL O'FLAHERTY	WAYNE MARVEL
DAVID TEMPLE	JONATHAN MATTINGLY	PAUL WOJCICKI	WILLIAM CROKE
DAVID YBARRA	JONATHAN PARRINGTON	PETER MARKS	WILLIAM MAHONEY
DEMETRA CHRISTOS	JOSEPH CAGNOLI	PETER MCKENNA	WILLIAM SERRITELLA
DENNIS CANTRELL	JOSEPH KRASOVEC	R. WILLINGHAM	WILLIAM SHULTZ
DONALD CARLSON	JOSEPH REJANO	RAYMOND FOURNIE	WILLIAM SMITH
		RAYMOND MODESITT	WILLIS TRIBLER